



WEB COPY



W.P.No.24574 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24574 of 2023
and W.M.P.No.23995 of 2023

M/s Mettur Associates
represented by its Managing Partner,
P.Stalin
No.4/1C, 13, Sidco Industrial Estate
Mettur Dam RS,
Salem District.

... Petitioner

-Vs-

1. The Superintending Engineer/Mech- I,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Mettur Thermal Power Station II,
Mettur Dam,
Salem District.

2. M/s ARR & Co,
D.No.4-6/92, Periyar Nagar,
Thangamapuripattinam,
Mettur Dam,
Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to take suitable legal action upon the petitioner's complaint dated 15.06.2023 against the second respondent herein and pass suitable orders



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within the time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.C.Munusamy
For R1 : Mr.K.Arun Prasad
Standing Counsel

ORDER

This Writ Petition has been filed for direction directing the first respondent to enquire the petitioner's complaint dated 15.06.2023 against the second respondent herein.

2. Heard the learned counsel for the petitioner and the learned counsel for the first respondent and perused the materials available on record.

3. The first respondent called for an open tender on 28.04.2023 for general cleaning and daily maintenance works in Compressor House for a period of 180 days. The petitioner had participated and submitted documents along with undertaking in lieu of EMD payment as required by the first respondent. At the same time, another company, viz., the second respondent herein also participated in the tender process and produced documents in respect of the Plant and Machinery.



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4. One of the witnesses in the undertaking given by the petitioner lodged complaint as against the petitioner, as if he did not sign as a witness. Therefore, the petitioner was issued show cause notice by the first respondent and conducted an enquiry. In the meanwhile, the petitioner also lodged a complaint as against the second respondent herein alleging that the person who signed in the documents submitted by the second respondent was already died and he forged his signature.

5. The learned counsel for the first respondent would submit that the petitioner as well as the second respondent are the bidders and they lodged complaint as against each other. In fact, one of the witnesses lodged a complaint and submitted before the first respondent that he had never withdrawn the complaint lodged against the petitioner. Therefore, the first respondent issued show cause notice to the petitioner as well as the second respondent to conduct enquiry.

6. Hence, the direction sought for in this writ petition cannot be considered, since already the first respondent issued show cause notice to the petitioner as well as the second respondent. On the enquiry, if the



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first respondent finds any bogus documents submitted, the first respondent is directed to blacklist both the petitioner as well as the second respondent, in accordance with law.

7. With the above directions, this Writ petition is disposed of.

Consequently, connected Miscellaneous petition is closed. No costs.

21.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

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